

**SENATE JOURNAL
66TH LEGISLATURE
FIFTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
March 20, 2019

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Sales presiding. Invocation by Senator Fielder. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS AND JOURNALS (Keenan, Chair):

3/20/2019

Mr. President: We, your committee on Bills and Journals, having examined the daily journals for the forty-sixth through the fiftieth legislative days, find the same to be correct.

Correctly printed: **SB 318, SB 341, SB 342, SJ 21, HB 24, HB 137, HB 164, HB 166, HB 192, HB 290, HB 292, HB 383, HB 386, HB 558.**

Correctly engrossed: **SB 173, SB 320, SJ 13, HB 327.**

Transmitted to the House: **SB 183, SB 241, HB 98, HB 99, HB 155, HB 322, HB 323, HB 382, HB 450.**

Signed by the Secretary of the Senate at 8:35 a.m., March 20, 2019: **SR 32.**

Signed by the Secretary of the Senate at 8:37 a.m., March 20, 2019: **SB 56, SB 57, SB 83, SB 91, SB 137.**

Signed by the President at 10:00 a.m., March 20, 2019: **SB 56, SB 57, SB 83, SB 91, SB 137, SR 32.**

Signed by the Speaker at 3:15 p.m., March 20, 2019: **SB 56, SB 57, SB 83, SB 91, SB 137.**

Delivered to the Secretary of State at 2:35 p.m., March 20, 2019: **SR 32.**

Delivered to the Governor at 3:40 p.m., March 20, 2019: **SB 56, SB 57, SB 91, SB 137.**

Delivered to the Governor at 4:25 p.m., March 20, 2019: **SB 83.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Hoven, Chair):

3/19/2019

SB 320, introduced bill, be amended as follows:

1. Page 1, line 30.

Following: "inspector"

Insert: "that is considered a law enforcement officer as designated by the department of livestock in 81-1-201"

And, as amended, do pass.

HB 327, be amended as follows:

1. Page 8, line 29.

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Following: "it is"

Insert: "a cell-cultured edible product"

And, as amended, be concurred in.

HB 520, be concurred in.

HB 586, be concurred in.

FISH AND GAME (Fielder, Chair):

3/19/2019

SR 26, be adopted.

HB 243, be concurred in.

HB 275, be concurred in.

HIGHWAYS AND TRANSPORTATION (Vance, Chair):

3/19/2019

SB 173, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: "is guilty of a misdemeanor and"

And, as amended, do pass.

SB 317, do pass.

HB 37, be concurred in.

HB 39, be concurred in.

HB 190, be concurred in.

STATE ADMINISTRATION (Brown, Chair):

3/18/2019

SJ 13, introduced joint resolution, be amended as follows:

1. Page 1, line 27 through line 30.

Strike: "WHEREAS" on line 27 through "Mexico; and" on line 30

2. Page 2, line 8.

Strike: ":",

3. Page 2, line 9.

Strike: "(1)"

4. Page 2, line 10.

Strike: ":",

5. Page 2, line 11 through line 14.

Strike: "(2)" on line 11 through "United States" on line 14

6. Page 2, line 17.

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Strike: "and"

Following: "Mexico in Colorado"

Insert: ", each member of the United States Senate Finance Committee, the United States House of Representatives Ways and Means Committee, the United States Senate Advisory Group on Negotiations, and the United States House of Representatives Advisory Group on Negotiations, the United States Trade Representative, the United States Secretary of Commerce, the United States Secretary of State, the United States Secretary of Labor, the Director of the Office of Management and Budget, and the Intellectual Property Enforcement Coordinator"

And, as amended, do pass.

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 343, introduced by T. Richmond, referred to Natural Resources.

SB 344, introduced by M. Lang, referred to Fish and Game.

SB 345, introduced by E. McClafferty, C. Boland, J. Cohenour, J. Ellis, P. Flowers, J. Gross, D. Hayman, K. Kelker, C. Keogh, J. Krotkov, M. Lang, M. MacDonald, S. Malek, M. McNally, R. Peppers, M. Phillips, T. Richmond, D. Salomon, D. Sands, B. Smith, R. Tempel, G. Vuckovich, S. Webber, referred to Public Health, Welfare and Safety.

The following Senate resolution was introduced, read first time, and referred to committee:

SR 45, introduced by G. Vance, referred to Highways and Transportation.

The following Senate joint resolution, previously introduced, was referred to committee:

SJ 21, introduced by J. Ellis, B. Bennett, D. Brown, M. Cuffe, D. Kary, R. Osmundson, F. Smith, G. Vance, referred to State Administration.

The following House bills were introduced, read first time, and referred to committees:

HB 389, introduced by J. Krautter, referred to Highways and Transportation.

HB 525, introduced by Z. Brown, referred to State Administration.

The following House joint resolution was introduced, read first time, and referred to committee:

HJ 10, introduced by A. Doane, W. Galt, G. Hertz, M. Hopkins, S. Morigeau, R. Peppers, T. Runningwolf, B. Smith, F. Smith, S. Stewart Peregoy, M. Weatherwax, S. Webber, referred to State Administration.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Small in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 237 - Senator McClafferty moved **HB 237** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Cohenour, Cuffe, Ellis, Flowers, Gauthier, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Webber, Welborn.

Total 31

Nays: Blasdel, Brown, Ellsworth, Esp, Fielder, Fitzpatrick, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Regier, Smith C, Thomas, Vance, Webb, Mr President.

Total 19

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 422 - Senator Olszewski moved **HB 422** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 436 - Senator Lang moved **HB 436** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn.

Total 46

Nays: Brown, Fielder, Vance, Mr President.

Total 4

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 444 - Senator Ankney moved **HB 444** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Cohenour, Cuffe, Ellis, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn.

Total 42

Nays: Blasdel, Brown, Ellsworth, Esp, Fielder, Keenan, Vance, Mr President.

Total 8

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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Majority Leader Thomas moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Senator Small moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.
Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 137 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Kary, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn.
Total 42

Nays: Blasdel, Fielder, Hinebauch, Howard, Keenan, Regier, Vance, Mr President.
Total 8

Paired: None.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 164 concurred in as follows:

Yeas: Ankney, Bennett, Blasdel, Bogner, Boland, Brown, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Thomas, Vuckovich, Webb, Webber, Welborn.

Total 40

Nays: Barrett, Cohenour, Esp, Hinebauch, Hoven, Regier, Smith C, Tempel, Vance, Mr President.

Total 10

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 166 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Boland, Brown, Cohenour, Ellis, Flowers, Gillespie, Gross, Jacobson, MacDonald, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Webber, Welborn.

Total 26

Nays: Blasdel, Bogner, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Malek, Olszewski, Osmundson, Regier, Salomon, Smith C, Thomas, Vance, Webb, Mr President.

Total 24

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 383 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Brown, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, MacDonald, McConnell, McNally, Olszewski, Osmundson, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 42

Nays: Boland, Cohenour, Gross, Jacobson, Malek, McClafferty, Phillips, Pomnichowski.

Total 8

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Thomas moved that **SJ 13**, reported out of committee this date, be re-referred to the Taxation Committee. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 1:00 p.m., Thursday, March 21, 2019, the fifty-eighth legislative day. Motion carried.

Senate adjourned at 1:32 p.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate